

CHAPTER 3
ASSEMBLAGES IN RESTAURANTS, POOL ROOMS
And AMUSEMENT CENTERS

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3-1 Definitions

As used in this Article:

Restaurant means any place or premises situated in the Town of Manchester which sells food or beverage for on-premises consumption and which is not licensed by the Liquor Control Board or the Control Commissioners.

Pool Room means any place or premises wherein amusement games such as billiards, bagatelle, pool tables, shuffleboards and the like are made available for use by the public upon premises which are not licensed by the Liquor Control Board or the Control Commissioners.

Amusement Center means any place or premises whereon two or more amusement or gaming machines may be operated by inserting a piece of money or other object for which money is paid.

Person means and includes:

- a) An individual person
- b) In the case of a corporate proprietor, any of the officers, directors or stockholders holding ten percent or more of its corporate stock;
- c) In the case of a partnership, any of the partners.

3-2 Permit and certificate of occupancy required.

Any person operating or owning a restaurant, pool room or amusement center is hereby required to obtain a certificate of occupancy for the operation and conduct of such business within the limits of the Town of Manchester.

3-3 Application; contents.

A person operating or intending to operate a restaurant, pool room or amusement center shall file with the Town Manager a written application setting forth the name of the applicant, the address of the premises wherein the herein regulated activity is to be conducted, the hours of business and days of the week for operation of said business, and the consent or agreement of the person to conduct said business and control patrons or crowds in such manner that there will be no disturbance of the peace, disorderliness, disruptiveness, or congregation outside of the limits of the building wherein said business is to be conducted. Said applicant shall further state and agree that, as a condition of the permit granted, the applicant agrees to independently hire the services of a duly elected and qualified constable, sheriff, or deputy sheriff, or appointed special police of the State of Vermont or of a political subdivision of the State of Vermont, for the preservation of the peace within the premises whenever required by the Selectboard of the Town of Manchester as hereinafter provided.

Certificate of occupancy under this ordinance shall be issued to and in the name of the proprietor of the premises wherein the regulated activity is to be operated, maintained or conducted. Permit shall be issued for the fiscal year commencing April 1 and expiring March 31 of each year. The fee for the certificate of occupancy shall be \$10.00

3-4 Procedures for enforcement.

The Selectboard may require a holder of a certificate of occupancy hereunder to employ a constable, sheriff or deputy sheriff or special police officer as hereinafter provided. Prior to the imposition of such requirement, an applicant or holder of a certificate of occupancy shall be notified of the proposed terms of such requirement. Such applicant or holder of a certificate shall be entitled to a hearing relative to such proposed requirements and the grounds thereof upon written request.

3-5 Enforcement

The Chief of Police of the Town of Manchester is hereby designated as enforcement officer of this ordinance. The enforcement officer is hereby directed and empowered to close and deny public access to any place of business which is operated in violation of this ordinance. In addition to said enforcement powers, any person who violates this ordinance shall be subject to a fine not exceeding One Hundred Dollars (\$100.00) per day of each day of violation.

Adopted	07/08/80
Effective	10/21/80*

*Part of 1980 re-codification and re-adoption process.